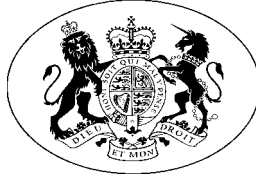


RM



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms AM Tremain

**Respondent:** Forrest Nurseries Limited T/a Clever Cloggs Day Nursery

**Heard at:** East London Hearing Centre

**On:** 28, 29, 30 & 31 January and 4 February 2020

**Before:** Employment Judge Burgher

**Members:** Ms L Conwell-Tillotson  
Ms J Owen

## Representation

**Claimant:** In person, assisted by lip speakers Ms I Gilford and Mr P Rees

**Respondent:** Mr P Maratos (Consultant)

# JUDGMENT

The unanimous judgment of the Tribunal is that:-

1. The Claimant's claim for direct age discrimination fails and is dismissed.
2. The Claimant's claim that the Respondent failed to make reasonable adjustments in respect of her disabilities fails and is dismissed.
3. The Claimant's claim for unfair constructive dismissal fails and is dismissed.
4. The Claimant's claim for unpaid holiday pay fails and is dismissed.
5. The Claimant's claim for unpaid overtime fails and is dismissed.
6. The Claimant's breach of contract claim for payment of sums due to her following attendance at mandatory Health and First Aid Training days on

24th of October 2015 and 7 November 2015 succeeds. The Respondent is ordered to pay the Claimant the sum of £80.40 in respect of this claim.

7. The Respondent failed to provide the Claimant with a written statement of particulars of employment. The Respondent is ordered to pay the Claimant 4 weeks pay pursuant to section 38 of the Employment Act 2002. The Respondent is ordered to pay the Claimant the sum of £857.60 in respect of this failure.
8. The Respondent is therefore ordered to pay the Claimant the total sum of £938.00

Employment Judge Burgher

Date: 5 February 2020